



Atty. Dkt. No. 040405/0323

#9
J. D.
8-2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fumiaki KIMIJO
Title: SOUND VOLUME ADJUSTMENT
SYSTEM IN PERSONAL
COMPUTER AND SOUND
ADJUSTMENT METHOD
THEREOF

Appl. No.: 09/625,510

Filing Date: 07/25/2000

Examiner: Laura A. Grier

Art Unit: 2466

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.56

Commissioner for Patents
Alexandria VA, 22313

Sir:

Submitted herewith on a modified Form PTO SB/08 is a listing of document(s) known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of the listed document(s) is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

This Information Disclosure Statement is being filed after the mailing date of a Final Office Action, but before the mailing date of a Notice of Allowance under 37

C.F.R. § 1.311. In the alternative, this Information Disclosure Statement is being filed under the provisions of 37 C.F.R. § 1.97(d). A check for 180.00 is enclosed for the fee as set forth in 37 C.F.R. §1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. A copy of an English language abstract of the listed documents, if available, is being provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider this document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Examiner in the corresponding Japanese patent application has commented as follows:

* * * * *

Claim: 1

Cited Literature: 1

Remarks:

Cited Literature 1 describes controlling volume level data, set for each window (corresponding to "for each application" in Claim 1) using a window volume control means (corresponding to a "memory" in Claim 1) and describes the provision of a volume control means (corresponding to the "volume adjustment means" in Claim 1) that controls, based on said data, the volume produced by each window.

There are no particular differences between the invention according to Claim 1 and the invention described in Cited Literature 1.

Claim: 2

Cited Literature: 1, 2

Remarks:

The adjustment of the volume by multiplying by a specific coefficient is no more than a well-known conventional technology as described in, for example, Figures 2 and 13, and the associated explanations, of Cited Literature 2.

Claims: 5, 6

Cited Literature: 1

Remarks:

See the comments regarding Claim 1.

A Notification of Reasons for Rejection will be provided if more reasons for rejection are discovered.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication H4-251325
2. Japanese Unexamined Patent Application Publication H5-19729

Record of Prior Art Literature Search Results

Fields searched: IPC 7th edition G06F 3/16

Prior art literature

Japanese Unexamined Patent Application Publication H6-110642

Japanese Unexamined Patent Application Publication H8-163527

Japanese Unexamined Patent Application Publication H9-190166

Japanese Unexamined Patent Application Publication H10-31578

This Record of Prior Art Literature Search Results does not constitute a reason for rejection.

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Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08B be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date: August 14, 2003

By David A. Blumenthal

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